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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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06/20/2003

Masud Mansuripur

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6190

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7590

01/23/2008

HAYES SOLOWAY P.C.

3450 E. SUNRISE DRIVE, SUITE 140

TUCSON, AZ 85718

EXAMINER

BRUSCA, JOHN S

ART UNIT

PAPER NUMBER

1631

MAIL DATE

DELIVERY MODE

01/23/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<i>Notice of Non-Compliant Amendment (37 CFR 1.121)</i>	Application No.	Applicant(s)	
	10/600,935	MANSURIPUR ET AL.	
	Examiner	Art Unit	
	John S. Brusca	1631	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 31 October 2007 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☒ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4): _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

Telephone No.

Continuation of 4(e) Other: In the amendment filed 31 October 2007 the claim listing is not in compliance with 37 CFR 1.121 which states that amendments must include a complete listing of all claims ever presented including in the list the text of all pending and withdrawn claims. Further, all claims must be presented in ascending numerical order. Although the applicants stated in their remarks attached to the amendment filed 31 October 2007 that claim 23 does not exist, the claims were renumbered under 37 CFR 1.126 in the Office action mailed 17 April 2007. In the claim listing filed 31 October 2007 claims 22 and 23 are missing. From a review of the claims at the time of mailing of the last Office action on 17 April 2007, the claim set filed 31 October 2007 appears to be misnumbered. The applicants have also made amendments to the text of the claims in the claim set filed 31 October 2007. The applicants are required to respond with a claim set that is consecutively numbered. It is difficult for the Office to determine if the dependencies in the claim listing filed 31 October 2007 are correct. The applicants are advised to carefully review dependencies of all claims after any renumbering of the claims to insure that the dependencies are those that are intended by the applicants upon entry of the next claim listing. The applicants are further advised that claim amendments are made relative to the last entered claim set, not the last filed claim set. In the instant application the two most recent claim sets filed 17 August 2007 and 31 October 2007 have not been entered due to noncompliance with 37 CFR 1.121. The next claim set should show amendments relative to the last entered claim set, which is the claim set filed 22 November 2006. The most recent entered claim set of 22 November 2006 was renumbered by the Office in the Office action mailed 17 April 2007, and the renumbering is now part of the most recent entered claim set. It is likely that regarding claim numbering the applicants only need to retain the renumbering performed by the Office when the next claim set is filed. Any amendments to the text of the claims should be made relative to the renumbered claim set.

John S. Brusca 19 January 2008
JOHN S. BRUSCA, P.D.
PRIMARY EXAMINER